

PENNSYLVANIA SELLS ITS HOLDINGS IN C. & O.

Kuhn, Loeb & Co., Supposed
Agents for Vanderbilts, the
Purchasers.

AN ENORMOUS BLOCK OF STOCK

Fifteen Million Dollars Involved in
Deal Through Which Entire Inter-
est of the Pennsylvania System in
Chesapeake & Ohio Is Surrendered.
Newport News Vitally Interested.

Official announcement was made
yesterday of the sale of the Pennsylv-
ania Railroad's interest in the Ches-
apeake & Ohio to Kuhn, Loeb & Co.,
of New York. It is understood that
the purchase was made for the Van-
derbilt interests, and if this is true
the Vanderbilts now have full control
of the Chesapeake & Ohio.

The Pennsylvania and its affiliated
lines owned more than \$15,000,000
worth of stock in the Chesapeake &
Ohio, and their entire holdings have
been transferred to Kuhn, Loeb &
Co.

A Matter of Speculation.
Whether or not the change in the
ownership of such an enormous block
of stock and the probable securing of
absolute control by the Vanderbilts
means a change in the policy of
the C. & O. is purely a matter of
speculation. This city, being the ter-
minal of the Chesapeake & Ohio sys-
tem, is greatly interested in the ques-
tion and information will be eagerly
awaited.

No Announcement from C. & O.
No announcement has come from
the Chesapeake & Ohio. The news of
the sale was received here in the fol-
lowing Associated Press dispatches:

Pennsylvania Issues Statement.

PHILADELPHIA, PA., Dec. 3.—The
Pennsylvania Company today issued
the following statement concerning
the disposal of the company's holdings
in the Chesapeake & Ohio Railroad
Company, to Kuhn, Loeb & Co., of
New York: "The Pennsylvania Rail-
road has sold their holdings to Kuhn,
Loeb & Co., 156,300 shares of Ches-
apeake & Ohio Railroad common stock,
comprising the entire holdings of the
Pennsylvania Railroad and affiliated
lines in the stock of this company.

Valued at \$15,630,000.
"The Pennsylvania Railroad Com-
pany owned 101,300 shares of the
Chesapeake & Ohio Company stock,
and the Pennsylvania Company forty
thousand shares, the total par value
of the stock owned by these two com-
panies was \$14,000,000. The total
holdings in the Chesapeake & Ohio
by Pennsylvania and all its affiliated
lines was 156,300 or a par value of
\$15,630,000.

"The sale of this stock is in line
with the policy anticipated by the
Pennsylvania Company when the Nor-
folk & Western and the Baltimore &
Ohio shares were sold a few months
ago."

For the Vanderbilts.

NEW YORK, Dec. 3.—Kuhn Loeb
& Co., of this city, have purchased
the 156,000 shares of Chesapeake &
Ohio stock which has been held by
the Pennsylvania Railroad Company.
Announcement to this effect was
made at the firm's offices here today,
but they declined to give any details
of the transaction.

It is understood, however, that the
stock was purchased for the Van-
derbilt interests which now control a
considerable amount of Chesapeake
& Ohio stock.

"SHAKING DOWN" RUN FOR ARMORED CRUISERS

Tennessee and Washington Preparing
to Go to Sea—Ohio Arrives at
New York.

The United States armored cruisers
Washington and Tennessee, which
acted as convoys to the "President's
Ship," the Louisiana, on her trip to
Panama, will be given a "shake down"
run before they return to the League
Island navy yard to receive their fin-
ishing touches and some slight re-
pairs made necessary by the trip to
Panama. The Washington is now
loading bunker coal at this port and
the Tennessee is anchored off Old
Point Comfort.

The Tennessee and Washington
were built by the Cramp Company, of
Philadelphia, and when ordered to
convey the Louisiana to Colon they
were receiving their finishing touches
at the League Island navy yard.

Repairs to the cruiser Washington's
engines, which became deranged dur-
ing the return voyage from Porto
Rico, are now being made and she
will be ready to proceed to sea in a

week or ten days. The Tennessee
probably will not be given her shake-
down run until after her silver service
is presented here on December 25.

Ohio at New York.
The United States battleship Ohio,
a product of the Union Iron Works,
of San Francisco, and a sistership, to
the local built battleship Missouri, ar-
rived at New York Sunday from the
Philippines via the Suez Canal. The
vessel will repair at the New York
navy yard, after which she will join
the Atlantic fleet.

DESERTER FROM ARMY.

John Thomas Kelly Captured After
Chase Through Swamps.
John Thomas Kelly, a deserter from
the 46th company, coast artillery, at
Fort Strong, Boston, was arrested
Sunday by Chief of Police Reynolds
and Officer Messick.

Kelly formerly lived here and it
was thought that he had come back
to the city. Sunday it was learned
that he was living in a shanty on
beach above the shipyard, and the
officers went after him. The man
left by the back door but was cap-
tured by the officers after a chase
through fields and swamps.

ROAD TO JAMESTOWN.

Work Began at Williamsburg Yester-
day—Convict Labor.

Work was started yesterday on
the macadam road from Williamsburg
to Jamestown Island. The road is
to be completed and ready for use
before the Jamestown exposition be-
gins.

The road is being built by Wil-
liamsburg and Jamestown and for
City county, with the assistance of
the state of Virginia and the Fed-
eral government. Virginia will fur-
nish convicts for laborers and ma-
chines for crushing and rolling stone
will be supplied by the Federal gov-
ernment.

DEATH CLAIMS FAMOUS SINGER "BLACK PATTI"

Expires Suddenly in Philadelphia—
Had Sun to Crowned Heads of
Many Nations.

(By Associated Press.)
PHILADELPHIA, PA., Dec. 3.—
Flora Batton, known on the stage
as "Black Patti," is dead, having
passed away suddenly last even-
ing. Although only thirty-five years
old, Black Patti had won renown
both in this country and Europe.
Queen Victoria, Pope Leo, and Czar
Nicholas had been captivated by her
singing. She had also sung at the
Italian and German courts.

DEPEW FAVORS THE SHIP SUBSIDY BILL

New York Senator Early Caller at
White House and Talks of Leg-
islation with the President.

(By Associated Press.)
WASHINGTON, D. C., Dec. 3.—Sen-
ator Depew, looking vigorous and
cheerful, was one of the early morn-
ing callers at the White House.
"Although I am afraid that there
will not be very much legislation
this session besides the appropriation
bills, I think that the session will
be a failure if it adjourns without
the passage of a pipe tariff bill, a
bill granting citizenship to the
Porto Ricans, and the ship subsidy
bill," said Senator Depew. "Our
appropriations for expensive river
and harbor improvements will be
thrown away, unless we have the
ships to use them."

Senator Depew spoke in hearty
favor of the President's inheritance
tax proposition, but expressed the
belief that nothing can be done dur-
ing the present session on account
of the brevity of time.

MR. WHITCRAFT CRITICALLY ILL.

Slight Improvement in His Condition,
But Little Hope for Recovery.

The condition of Mr. William A.
Whitcraft, who is critically ill at the
home of his son-in-law, Mr. Robert
Crittenden, 3110 Washington avenue,
was slightly improved late yesterday
afternoon, but very little hope of his
recovery is entertained by the at-
tending physicians, Doctors William
R. Aylett and Louis Loeb.

Mr. Whitcraft was taken ill with
pneumonia Thursday and Sunday his
condition became critical. Dr. Loeb,
who was first called to attend the
sick man, was with the patient all
night Sunday and yesterday morning
he called in Dr. Aylett. Yesterday
afternoon Mr. Whitcraft lapsed into
unconsciousness and he had not re-
vived up to a late hour last night.

Norfolk Eagles' Home.

Newport News Aerle, F. O. Eagles,
will send a large delegation to Nor-
folk tonight to participate in the
exercises incident to the opening of
the Norfolk Eagles' home, when
was recently completed at a cost
of \$50,000. The local "birds" will
take the steamer Virginia at 5:35
o'clock this afternoon.

Educational Association.

There will be a meeting of the
Newport News Educational Associa-
tion tonight at 8 o'clock at the High
school building. The president, Mrs.
John B. Lock, will have an inter-
esting report to make concerning the
recent State educational conference
in Richmond. A large attendance is
expected.

LAWYER'S BITTER IN GILLETTE SUMMING UP

District Attorney Ward and Sen-
ator Mills Attack Each Other
Without Gloves.

DEFENCE SAYS DOCTORS LIED

Declares That the Five Physicians
for the Prosecution Did Not Swear
to the Truth—Summing Up Will Be
Continued Today and Case Will
Reach Jury Before Night.

(By Associated Press.)
HERKIMER, N. Y., Dec. 3.—Never
perhaps in the history of Herkimer
County Court has the scene of a mur-
der trial been characterized by such
bitter attacks of counsel as was dis-
played in the summing up of the Gil-
lette case today.

Judge Devendorf said he expected
the case to go to the jury today but
after District Attorney Ward had
spoken for fifteen minutes court ad-
journed until morning.

Former Senator A. M. Mills, a close
personal friend of the prosecutor, in
his last appeal to the jury to acquit
Chester B. Gillette of murdering Grace
Brown at Big Moose Lake on July 11,
dramatically declared that the five
physicians who had sworn that there
was a blood clot on Grace Brown's
brain had gotten together and agreed
upon a common story for the witness
stand and deliberately withheld tes-
timony favorable to his client, im-
plying that physicians were improp-
erly influenced. He added: "If there
is any evidence of graft some of these
doctors may figure in it. They were
paid large fees to give evidence which
was so prepared that it would convict
this boy. I charge here and now—
and I know personally each of the phy-
sicians—that they did not bring in
all the facts, that they did not re-
port something favorable to the boy.
Each of the doctors knew that a fraud
was being perpetrated."

Ward's Hot Reply.
District Attorney Ward jumped to
his feet and launched into a scathing
denunciation of Senator Mills and the
methods he had taken to sway the
jury over to the defense.

"When Mr. Mills stands here and
tells you as he just has," he said,
"that these five doctors, reputable
men of Herkimer county and your
friends who enter your homes, per-
haps, every day are liars and burglars,
he says that which is not true."

"Now what insidious thing did he
mean when he told you about graft?
Was there any graft when the poor
girl was brought into the woods to be
murdered? Did graft cause that? What
did he mean?"

"I charge here and now that false-
hood was put into the case for the
prejudicing of some poor foolish juror
and to keep him from giving proper
consideration to the evidence in the
case."

In this train, so excited at times,
that the big audience fairly gasped,
the district attorney brought to a
spectacular close a day of steady
speechmaking full of dramatic peri-
ods.

Pastor Called to Richmond.

(By Associated Press.)
RICHMOND, VA., Dec. 3.—At a
congregational meeting held at the
Leigh Street Baptist Church, this
city, last night, the committee ap-
pointed to recommend a pastor to
succeed the Rev. M. Ashby Jones
submitted a report presenting the
name of the Rev. Watson S. Dorsett,
of Hartsville, S. C. It is believed
that Mr. Watson will accept.

Cabinet Nominations.

(By Associated Press.)
WASHINGTON, D. C., Dec. 3.—The
president today sent the following
nominations to the senate: Secre-
tary of the treasury, George W.
Cortelov; attorney-general, Charles
J. Bonaparte; postmaster-general,
George Von L. Meyer; secretary of
the navy, Victor H. Metcalf; secre-
tary of the interior, James H. Gar-
field; secretary of commerce and
labor, Oscar S. Straus.

Basketball Season.

The basketball season will open
at the Y. M. C. A. tomorrow night
with a game between teams rep-
resenting the local and Hampton as-
sociations. The Baltimore Central
Y. M. C. A. team is scheduled to
play here Saturday night. Physical
instructor Ehrich has arranged a
game with the Roanoke association.

Steamer Went Aground.

The British steamer Teesbridge
went aground Sunday night while
being docked at the Chesapeake &
Ohio coal pier, No. 10. The steamer
was floated without damage and sail-
ed for Genoa yesterday. She came
here from New Orleans for 500 tons
of bunker coal.

COLORED TROOPS ROW COMES BEFORE SENATE

Penrose and Foraker Offer Res-
olutions Which Ask for Infor-
mation on Subject.

ONE DIRECTED TO PRESIDENT

The Other Which is to the Secretary
of War Seeks to Throw Light Upon
the Right to Discharge the Colored
Troops from a Constitutional Stand-
point.

(By Associated Press.)
WASHINGTON, D. C., Dec. 3.—
There was a surprise for the senators
today when Mr. Penrose introduced
into the formal opening of that body
today a resolution of inquiry address-
ed to the president, regarding the dis-
charge of the three companies of ne-
gro troops of the 25th Infantry.

When Mr. Penrose said he had a
resolution, for which he should like
immediate consideration, Mr. Fair-
banks arose and after hesitating a
second, remarked:

"The usual rule is not to consider
resolutions or miscellaneous business
until after the message of the Presi-
dent is received."

"Then, rejoined Mr. Penrose, 'I
shall ask unanimous consent: to have
the resolution introduced. This was
granted. It follows:

"Resolved, That the President is
requested to communicate to the
Senate if not incompatible with the
public interest, full information bear-
ing upon the recent order dismissing
from the military service of the United
States three companies of the 25th
regiment of Infantry, United States
troops, colored."

Mr. Foraker, of Ohio, was on his
feet, saying: "I have a substitute for
that, and I ask that it be read, and
that both lie over."

It was addressed to the Secretary of
War, directing that official to fur-
nish the Senate with copies of all
letters, telegrams, reports and orders
filed in the department concerning
the recent discharge of colored troops,
together with a complete list of the
men discharged, showing the record of
each, the amount of retired pay each
was entitled to under certain sec-
tions of the revised statute. The rul-
ing of the department is asked on this
or any other similar case regarding
the right of the men to such retired
pay, also the ruling of the department
as to the right of such discharged men
to retire on their pay with allow-
ance, subsistence and clothing. Their
rights to enter the Soldiers' Home, to
be buried in a National cemetery, to
receive subsistence and transporta-
tion from the place of discharge to
their homes.

Moody for Supreme Bench.

(By Associated Press.)
WASHINGTON, D. C., Dec. 3.—
President Roosevelt today sent to
the senate the nomination of William
H. Moody, of Massachusetts, present
Attorney General, to be an associate
justice of the Supreme Court of
the United States to succeed Justice
Brown, resigned.

Episcopal Cathedral in Washington.

(By Associated Press.)
WASHINGTON, Dec. 5.—G. F.
Bodley, of London, and Henry Vaughn
of Boston, both architects, have ar-
rived in Washington at the invita-
tion of Bishop Satterlee, to arrange
the plans for the new cathedral,
which is to be built in this city.
Mr. Bodley says that the old En-
glish Gothic design will be adopted,
and that the cathedral will be one of
the finest in the world. The edifice
will cost more than \$2,000,000.

Visits Richmond After 40 Years.

(By Associated Press.)
RICHMOND, VA., Dec. 3.—Now in
her youthful vigor almost unabated,
Miss Emily Virginia Mason, the
"Florence Nightingale" of the Con-
federacy in this city, visiting Mrs.
Peyton Wise, having come back
to see the Capital of the Confederacy
after a long absence of forty-odd
years.

MRS. MABRYCK IN COURT AT RICHMOND

Woman Who Passed Many Years in
England Prison Looks Well and
Sprightly.

(By Associated Press.)
RICHMOND, VA., Dec. 3.—The
case of the Baroness Von Roques
against W. D. Armstrong and others
to recover vast tracts of land in
Virginia, West Virginia and Ken-
tucky is being tried before Judge
Grinnan in the chancery court to-
day.

Mrs. Florence Maybrick, daughter

of the complainant, appeared in
court with her mother.

Mrs. Maybrick served ten years
in an English prison for the murder
of her husband, who died mysteri-
ously. She was convicted upon
evidence of killing him by ad-
ministering poison in his food. The
case was world famous.

She sat beside her mother in
court while her counsel argued the
case. The woman who had spent
so many years of her life behind
the bars looked very sprightly. She
was dressed in a gray suit, black
hat, with gray trimmings. She did
not look the woman she had been
pictured in stories. However, she
had been out of prison now
for about two years and has had
time to recuperate from any ill ef-
fects the confinement might have
had upon her.

PILOTS' ASSOCIATION WINS IMPORTANT CASE

United States Supreme Court Holds
That It Is Not Responsible for
Damages.

(By Associated Press.)
Washington, D. C., Dec. 3.—The Su-
preme Court of the United States held
today that the Virginia Pilots' Asso-
ciation is not responsible for damages
caused by accidents when due to the
negligence of its members. A deci-
sion was rendered in the case of Guy
vs. Donald on a question certified from
the Circuit Court of Appeals for the
Fourth Circuit. Guy is a member of
the association and he was the pilot in
charge of the navigation of the steam-
er Santult, which is owned by Donald,
when in 1901 that vessel collided with
the schooner Churchman off the Vir-
ginia coast causing so much damage
that Donald was compelled to
pay \$3,175. Suit was instituted by him
to recover from Guy of the Pilots' Asso-
ciation.

L. F. Youmans Dead.

(By Associated Press.)
Columbia, S. C., Dec. 3.—Attorney
General Leroy E. Youmans, died here
today. He was attorney general under
Governor Wade Hampton and was re-
garded as one of the most brilliant
orators in the South. He was appoint-
ed attorney general in March of this
year to succeed U. X. Gunter, deceased.
He will be succeeded by J. Frazer
Lyon, elected on the anti-graft plat-
form last summer.

Sweden to Be Represented.

(By Associated Press.)
Stockholm, Dec. 3.—Sweden will
be represented by one or more war-
ships at the naval display on the
ocean of the opening of the James-
town exposition next year.

KILPATRICK DUE TOMORROW.

Transport Left Gibraltar for This
Port, Nov. 22.

The United States army transport
Kilpatrick is expected to arrive here
tomorrow from the Philippines via the
Suez canal. The vessel left Gibraltar
for this port on November 22 and
should make the run across the At-
lantic in twelve or thirteen days.

She has aboard a number of first-
class passengers, including several
army officers and the families of
other army officers, stationed in the
Philippines.

FALL FROM CAR MAY RESULT IN BOY'S DEATH

Little Robert Shelton, of Fort Mon-
roe Seriously Injured in an
Accident in Phoebus.

Daily Press Bureau,
Trice Building,
Hampton Va., Dec. 3.

Master Robert L. Shelton, the ten
year old son of Sergeant and Mrs.
Robert Shelton, who reside at Old
Point, fell from a car in Phoebus
at noon today and received in-
juries that may terminate in his
death.

The little fellow had been to
school and was accompanying a lit-
tle girl to the car. After placing
the girl on the car, which was in
charge of Conductor Fuller and Mo-
terman Walton, the boy ran around
to the opposite end and jumped on the
rear end of the car. The iron gate
was closed and the little fellow who
was hanging on to the iron bars in a
playful manner, lost his balance and
dropped to the ground, his head
striking the track on the left side.

Conductor Fuller rang down his
car and with motorman Walton ran
back to the assistance of the boy.
Young Shelton was unconscious. He
was taken to the office of Dr. Thom-
as J. Jarratt, who treated him
until Dr. H. D. Howe, the com-
pany's physician arrived. Dr. Jar-
ratt found that the drum of the car
was ruptured and that the youth
had received an ugly fracture of
the skull.

The little fellow was removed to
the fort hospital.

FIFTY-NINTH CONGRESS BEGINS LAST SESSION

Senate in Session Less Than
Nineteen Minutes to Trans-
act It's Business.

REPRESENTATIVES MET AN HOUR

Members of the Lower House Had
No Flowers on Their Desks by Or-
der of Speaker Cannon—Mrs. Nicho-
las Longworth and Other Dis-
tinguished Persons in Attendance.

(By Associated Press.)
WASHINGTON, D. C., Dec. 3.—The
fifty ninth congress began its last
session at noon today. It took the
senate fifteen minutes to arrange
its preliminaries and the house of
representatives an hour. The sen-
ate received from President Roose-
velt a long list of appointments for
its confirmation and inside of nine-
teen minutes decided that as the
nominations had been received be-
fore the body had been organized
formally, to make no confirmation
until the president's message had
been received and the session fairly
started.

Opening of the House.

The opening of the house was
witnessed by an animated throng
which filled the galleries to their
capacity. Hundreds went away dis-
appointed in not gaining admis-
sion to witness the session of the
senate or house.

The absence of flowers from the
desks of the members was com-
mented on, but the order of a
speaker prohibiting the flowers dis-
play was generally commended for
its good sense. A similar rule was
made in the senate two years ago.

Mrs. Longworth There.

The presence of Mrs. Nicholas
Longworth, daughter of the presi-
dent in the executive gallery, ac-
companied by Miss Wagner, the so-
cial secretary to the life of the presi-
dent, gave the women in the gal-
leries an opportunity to observe
the wife of the representative from
Cincinnati district at close range.

Business Quickly Dispatched.

The routine work of the house
incident to the opening of the day
was quickly dispatched, the roll
call showing nearly 300 members
present.

President Roosevelt's message will
be received by the house and se-
parate tomorrow. No bills were intro-
duced in the senate.

PUBLIC BUILDINGS FOR VIRGINIA TOWNS

Secretary of Treasury Makes Esti-
mate of What They Will Cost
the Government.

(By Associated Press.)
WASHINGTON, D. C., Dec. 3.—The
estimates of the Secretary of the
treasury for public building appro-
priations embrace the following for
Virginia: Clifton Forge, \$15,000;
Fredericksburg, \$10,000; Petersburg,
\$25,000; Roanoke, \$30,000; Richmond,
\$250,000; Winchester, \$20,000.

TARIFF WILL GO UNTOUCHED

Congress Too Busy to Take Up
Problem, Senator Frye Says.

BOSTON, MASS., Dec. 3.—United
States Senator Frye, on his way to
Washington, says that he does not
expect any question of great im-
portance will be brought up at this
coming short session of Congress.
He is sure at least that no at-
tempts at tariff revision will be
made.

"The time is too limited for a
proper consideration of such a
weighty problem," he said. "Whether
it will be problematical. One thing
is sure, and that is that the in-
coming Congress is still strongly
Republican. There is nothing at
present that would indicate any
great general demand from all parts
of the country for a revision. I
do not think the tariff will be re-
vised."

Gale for Consul at Puerto Plata.

WASHINGTON, D. C., Dec. 3.—
The president sent to the senate
today the name of William H. Gale,
of Virginia, to be consul at Puerto
Plata, Dominican Republic.